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ADDITIONAL ENTRIES UNDER THE ENLARGED HOMESTEAD ACTS—INSTRUCTIONS.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,

Washington, D. C., March 17, 1913.

Registers and Receivers, United States land offices, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, Utah, Washington, and Wyoming.

SIRS: For your information there is hereto appended a copy of the act of Congress approved February 11, 1913 (Public. No. 369), amending sections 3 and 4 of the acts of February 19, 1909 (35 Stat., 639), and June 17, 1910 (36 Stat., 531), providing for enlarged homesteads. The amendatory act in no way affects entries made under section 6 of either of the enlarged homestead acts.

The area required to be cultivated is reduced to one-sixteenth of the area embraced in the entry beginning with the second year of such entry and one-eighth of the area beginning with the third year, thus carrying into the enlarged homestead laws the reduction of cultivation effected by the three-year homestead law of June 6, 1912 (37 Stat., 123). As provided by the latter act the cultivation of at least one-eighth must be continued up to the time proof is submitted.

A person who has made original entry under section 2289 of the Revised Statutes and subsequently an additional entry under section 3 of the enlarged homestead acts may make proof under either of the following conditions:

CULTIVATION.

(1) By showing compliance with the requirements of the law applicable to his original entry, and that after the date of additional entry he cultivated, in addition to such cultivation as was relied upon and used in perfecting title to the original entry, an amount equal to one-sixteenth of the area of the additional entry for one year not later than the second year of such additional entry, and one-eighth the following year and each succeeding year until proof is submitted. The cultivation in support of the additional entry may be maintained upon either entry.

(2) When proof is submitted on both entries at the same time, by showing the cultivation of an amount equal to one-sixteenth of the combined area of the two entries for one year, increased to one-eighth the succeeding year, and that such latter amount of cultivation has continued until offer of proof. If cultivation in these amounts can be shown, proof may be submitted without regard to the date of the

additional entry, i. e., the required amount of cultivation may have been performed in whole or in part on the original entry before the additional entry was made, and proof on the additional need be deferred only until the showing indicated can be made. Such combined proof may be submitted not later than seven years from the date of the original entry.

RESIDENCE.

In instances where proof is first made on the original entry meeting the requirement of the homestead law respecting residence, no further showing in this particular will be exacted in making proof upon the additional entry: neither will a period of residence be exacted in proof upon the combined entry in excess of that required under the original entry.

PROOF SUBMITTED PRIOR TO FEBRUARY 11, 1913.

Proofs heretofore submitted, and which have not been acted upon, will receive consideration under the provisions of this act and the act of June 6, 1912.

Where proofs have been heretofore submitted, but were rejected solely because compliance with the requirements of the law did not continue for the required period after the date of the additional entry, applications for reconsideration will be entertained if seasonably filed.

Very respectfully,

FRED DENNETT, *Commissioner.*

Approved:

LEWIS C. LAYLIN,

Assistant Secretary.



SRLF
YRL

1417-783

[Public, No. 369.]

AN ACT To amend an act entitled "An act to provide for an enlarged homestead."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections three and four of the act entitled "An act to provide for an enlarged homestead," approved February nineteenth, nineteen hundred and nine, and of an act entitled "An act to provide for an enlarged homestead," approved June seventeenth, nineteen hundred and ten, be, and the same are hereby, amended to read as follows:

"SEC. 3. That any homestead entryman of lands of the character herein described, upon which entry final proof has not been made, shall have the right to enter public lands, subject to the provisions of this act, contiguous to his former entry, which shall not, together with the original entry, exceed three hundred and twenty acres.

"SEC. 4. That at the time of making final proofs, as provided in section twenty-two hundred and ninety-one of the Revised Statutes, the entryman under this act shall, in addition to the proofs and affidavits required under said section, prove by two credible witnesses that at least one-sixteenth of the area embraced in such entry was continuously cultivated for agricultural crops other than native grasses beginning with the second year of the entry, and that at least one-eighth of the area embraced in the entry was so continuously cultivated beginning with the third year of the entry: *Provided*, That any qualified person who has heretofore made or hereafter makes additional entry under the provisions of section three of this act may be allowed to perfect title to his original entry by showing compliance with the provisions of section twenty-two hundred and ninety-one of the Revised Statutes respecting such original entry, and thereafter in making proof upon his additional entry shall be credited with residence maintained upon his original entry from the date of such original entry, but the cultivation required upon entries made under this act must be shown respecting such additional entry, which cultivation, while it may be made upon either the original or additional entry, or upon both entries, must be cultivation in addition to that relied upon and used in making proof upon the original entry; or, if he elects, his original and additional entries may be considered as one, with full credit for residence upon and improvements made under his original entry, in which event the amount of cultivation herein required shall apply to the total area of the combined entry, and proof may be made upon such combined entry whenever it can be shown that the cultivation required by this section has been performed; and to this end the time within which proof must be made upon such combined entry is hereby extended to seven years from the date of the original entry: *Provided further*, That nothing herein contained shall be so construed as to require residence upon the combined entry in excess of the period of residence as required by section twenty-two hundred and ninety-one of the Revised Statutes."

Approved, February 11, 1913.



